

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, MARCH 2, 1992  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Roberts at 2:13 p.m. Deputy Mayor Roberts adjourned the meeting at 5:07 p.m. to meet in Closed Session on Tuesday, March 3, 1992, at 9:30 a.m., in the 12th Floor Conference Room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-excused by R-279704 (ill)
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present

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- (3) Council Member Hartley-present
- (4) Council Member Stevens-not present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Pastor Jimmie Hubbard of the  
Inner City First American Baptist Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
McCarty.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER AND SCHOOL BOARD

Comments by Don Stillwell in reference to literature  
passed out by him regarding the education of our  
children.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A032-050.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:  
2/10/92  
2/11/92

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: --.)

MOTION BY COMMON CONSENT TO APPROVE. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-92-1248) ADOPTED AS RESOLUTION R-279482

Proclaiming March as "Girl Scouts, San Diego-Imperial Council Month" in San Diego; commending the thousands of individuals who have played key roles in the establishment and on-going success of the Girl Scout movement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A110-142.)

MOTION BY COMMON CONSENT TO ADOPT. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: DENIED HEARING

Matter of the request of Merle Borg for a hearing of an appeal from the decision of the Planning Commission in denying Hillside Review Permit HRP-91-0258 (Collier Avenue Residence). The variance would allow a one-foot front yard setback where 15 feet is required and a two-foot height variance where 30 feet is allowed. The subject property is 9,613 square feet in size and is located on Collier Avenue east of Mountain View Road. It is more particularly described as Lot 15, Block C, according to Map-1157, in Zones R-5000 and R1-40000 within the Normal Heights neighborhood of the Mid-City Community Plan area.  
(HRP-91-0258. District-3.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM HRP-91-0258

COUNCIL ACTION: (Tape location: A247-273.)

MOTION BY HARTLEY TO DENY THE REQUEST FOR HEARING AND UPHOLD THE DECISION OF THE PLANNING COMMISSION DUE TO LACK OF CITY-WIDE SIGNIFICANCE. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-50: (O-92-55 Cor.Copy 03/20/92) ADOPTED AS ORDINANCE  
O-17746 (New Series)

Amending the Barrio Logan Planned District by adding a "Redevelopment Subdistrict" that implements the adopted Barrio Logan Redevelopment Plan.  
(Barrio Logan Community Area. District-8. Introduced on 2/18/92. Council voted 9-0.)

FILE LOCATION: LAND-Barrio Logan Planned District

COUNCIL ACTION: (Tape location: A470-560.)

MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-92-965) ADOPTED AS RESOLUTION R-279483

Awarding a contract to El Cajon Ford for 142 Police Patrol Cars (1992 Ford Crown Victoria) at a total cost of \$1,693,208, including tax and terms, less trade-in allowances as follows: (BID-C2848/92)

Trade in Equipment

Qty.	Description	Unit Allowance	Extension
1	each 1894 Ford LTD 4-door sedan, V/8, white	\$1,400	\$ 1,400
13	each 1986 Ford Crown Victoria 4-door sedan, V/8, white	\$1,900	\$ 24,700
24	each 1987 Ford Crown Victoria 4-door sedan, V/8, white	\$2,800	\$ 67,200
45	each 1988 Ford Crown Victoria 4-door V/8, black and white	\$3,000	\$135,000

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24 each 1989 Ford Crown Victoria sedan, V/8, black and white	\$3,000	\$ 72,000
Total Trade-in Allowance		\$300,300

Authorizing the expenditure not to exceed \$1,532,597.66, from Department No. 110, Fund No. 100, Organization Nos. 200, 305, 386, 443 and 492, Object Account No. 6010, and Job Order Nos. 111475, 111291, 111515, 111522 and 111452, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Aud. Cert. 9200605.

FILE LOCATION: CONT-Purchase-El Cajon Ford CONT FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-92-966) ADOPTED AS RESOLUTION R-279484

Awarding a contract to Clairemont Equipment Company for one motor grader with ripper at a cost of \$79,238 and one motor grader with scarifier at a cost of \$77,282, for a total cost of \$156,520, including tax and terms, authorizing the expenditure of not to exceed \$169,432.91 from Department No. 8201, Fund No. 50031, Object Account No. 6013, and Job Order No. 88092, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B2847/92)

Aud. Cert. 9200620.

FILE LOCATION: CONT-Purchase-Clairemont Equipment Company  
CONT FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-92-964) ADOPTED AS RESOLUTION R-279485

Awarding contracts to San Diego Turf, Western Turf and  
San Diego Tractor, Inc. for Miscellaneous Turf  
Equipment for a total cost of \$82,379.34, including tax  
and terms as follows: (BID-P2855/92)

1. San Diego Turf for Items 3 and 4 at a cost of  
\$69,429.39; including tax and terms.
2. Wester Turf for Items 6 and 7 at a cost of  
\$12,651.18; including tax and terms.
3. San Diego Tractor, Inc. for Item 8 at a cost of  
\$298.77; including tax and terms.

Authorizing the expenditure of not to exceed \$82,379.34  
from Fund No. 100, Department No. 443, Organization No.  
550, Object Account No. 6010, and Job Order No. 44355,  
for providing funds for said project and related costs;  
authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.

Aud. Cert. 9200588.

FILE LOCATION: CONT-Purchase-San Diego Turf, Western Turf  
and San Diego Tractor, Inc. CONT FY92-3

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-92-968) ADOPTED AS RESOLUTION R-279486

Awarding a contract to Pierce Manufacturing, Inc. for  
the purchase of one seventy-five foot aerial platform  
for a total cost of \$482,040.39, including tax;  
providing a contingency cost not to exceed \$21,204.90,  
plus tax, or five percent of apparatus cost, for

changes deemed necessary during the manufacturing process; authorizing the expenditure of not to exceed \$482,040.39 from Fund No. 100, Department No. 120, Object Account No. 6010, and Job Order No. 5700, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H2809/92)

Aud. Cert. 9200636.

FILE LOCATION: CONT-Purchase-Pierce Manufacturing, Inc. CONT  
FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-92-969) ADOPTED AS RESOLUTION R-279487

Assigning all rights, title and interest to all payments due under the Lease Agreement for the Construction of a Manufactured Building to Chicorp Financial Services, Inc. from Scotsman Buildings, as authorized by Resolution R-278325, adopted on July 15, 1991. (BID-B2136/91)

FILE LOCATION: CONT-Chicorp Financial Services, Inc. CONT  
FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-105: (R-92-1224) ADOPTED AS RESOLUTION R-279488

Authorizing the City Manager to increase funding by \$78,000 for City-wide Diversity Commitment services to

be performed by The Kaleel Jamison Consulting Group, Inc.; authorizing the City Manager to increase funding by \$30,000 for City-wide Diversity Commitment services to be performed by Southwest Communication Resources, Inc.; authorizing the expenditure of an amount not to exceed \$108,000 from the Special Training Fund, for the contracts with The Kaleel Jamison Consulting Group, Inc. (\$78,000) and Southwest Communication Resources, Inc. (\$30,000).

CITY MANAGER SUPPORTING INFORMATION: The City-wide Diversity Commitment was kicked off in 1991 by the City Manager's Office and has as its goal to create an environment where differences are valued and all City employees are a productive part of a high performing team delivering services to our citizens. The consulting firms "The Kaleel Jamison Consulting Group, Inc.," and "Southwest Communication Resources, Inc." were selected in December 1990 through a Request for Proposal process. Both firms are Minority Business Enterprises. Additionally, Southwest Communication Resources, Inc. is a local Woman Business Enterprise. Both consulting firms have successfully worked with the City over the past year to:

1. Collect data from nearly 1,000 employees.
2. Identify the major diversity themes found in the data.
3. Feedback the data to all levels of the organization.
4. Recommend over 35 specific policy and procedure changes.
5. Conduct educational sessions on issues of prejudice, racism, woman/man communication patterns, gay/lesbian issues, the Hispanic experience, sexual harassment and action planning.
6. Provide on-going consulting services toward the total Diversity Commitment effort.

Department Directors have attended educational sessions which were included in the contract scope of work. The increased funding is requested to allow this successful program to be provided to approximately 300 management and supervisory staff. In addition, program content additions proposed by the City in the area of gay/lesbian issues, the Hispanic experience and action planning have required additional consulting days.

Aud. Cert. 9200644.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A571-B091.)

MOTION BY STEVENS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-not



present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-92-1228) ADOPTED AS RESOLUTION R-279489

Approving the Resolution attached to the Department of Legislative Services Report, DLS-92-10, in support of adding Benzodiazepines to California's Drug Monitoring Program; directing the Director of the Department of Legislative Services to communicate the City's support to the appropriate agencies and the City's legislative advocate.

(See Department of Legislative Services Report  
DLS-92-10.)

COMMITTEE ACTION: Reviewed by RULES on 2/19/92. No action taken due to the lack of a quorum. Docketed for full Council action by the Mayor. District 1 and Mayor present. Districts 2, 7, and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-92-1137) ADOPTED AS RESOLUTION R-279490

Authorizing the execution of an agreement with Dudek and Associates, for professional consulting services to provide design services in connection with the East Mission Bay Pipeline (South); authorizing the expenditure of an amount not to exceed \$561,655 from the Clean Water Program Fund (41509), CIP-40-910.4, East

Mission Bay Pipeline (South), to provide funds for this project, in the following manner:

\$368,295 from Fiscal Year 1992 appropriations  
\$128,905 from Fiscal Year 1993 appropriations  
contingent on approval of the FY 1993 CIP  
budget

\$ 3,020 from Fiscal Year 1994 appropriations  
contingent on approval of the FY 1994 CIP  
budget  
\$ 36,255 from Fiscal Year 1995 appropriations  
contingent on approval of the FY 1995 CIP  
budget  
\$ 25,180 from Fiscal Year 1996 appropriations  
contingent on approval of the FY 1996 CIP  
budget

Authorizing the City Manager to finance or refinance  
this project with tax exempt securities, if  
circumstances so warrant.

(Bay Park and Clairemont Community Areas. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The East Mission Bay Pipeline (South) project is an integral part of the North City Subsystem of the Clean Water Program. The implementation schedule for the North City Subsystem is dictated by the Consent Decree negotiated with the EPA and the State as well as the need for additional sewage capacity. The East Mission Bay Pipeline (South) project is the southerly 11,000 linear feet of the 22,000 linear feet of 60-inch pressurized reclaimed water pipeline that comprises the East Mission Bay Pipeline. The entire East Mission Bay Pipeline extends from Rose Canyon southward to the intersection of Napa Street and Friars Road, where it joins the Mission Valley reclaimed water pipeline at the dechlorination facility of the San Diego River Ocean Outfall. The pipeline route is generally east of I-5 along Morena Boulevard. The MBE/WBE (Equal Opportunity) participation goals for this agreement are 12 percent MBE and 3 percent WBE. The MBE/WBE participation for this agreement is 19.6 percent MBE and 4.6 percent WBE. With this agreement approximately twenty local jobs could be provided.

Aud. Cert. 9200634.  
WU-CWP-92-089.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-92-1138) ADOPTED AS RESOLUTION R-279491

Authorizing the execution of an agreement with Metcalf and Eddy, for professional consulting services to provide design services in connection with the East Mission Bay Pipeline (North); authorizing the expenditure of an amount not to exceed \$561,655 from the Clean Water Program Fund (41509), CIP-40-910.4, East Mission Bay Pipeline (North), to provide funds for this project, in the following manner:

\$368,295 from Fiscal Year 1992 appropriations  
\$128,905 from Fiscal Year 1993 appropriations  
contingent on approval of the FY 1993 CIP  
budget  
\$ 3,020 from Fiscal Year 1994 appropriations  
contingent on approval of the FY 1994 CIP  
budget  
\$ 36,255 from Fiscal Year 1995 appropriations  
contingent on approval of the FY 1995 CIP  
budget  
\$ 25,180 from Fiscal Year 1996 appropriations  
contingent on approval of the FY 1996 CIP  
budget

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(La Jolla and North Clairemont Community Areas.  
Districts-1 and 6.)

CITY MANAGER SUPPORTING INFORMATION: The East Mission Bay Pipeline (Northern) project is an integral part of the North City Subsystem. The implementation schedule for the North City Subsystem is dictated by the Consent Decree negotiated with the EPA and the State as well as the need for additional sewage capacity. The East Mission Bay Pipeline (Northern) project is the northerly 11,000 linear feet of the 22,000 linear feet of 60-inch pressurized reclaimed water pipeline that comprises the East Mission Bay Pipeline. The entire East Mission Bay Pipeline extends from Rose Canyon southward to the intersection of Napa Street and Friars Road, where it joins the Mission Valley reclaimed water pipeline at the dechlorination facility of the San Diego River Outfall. The pipeline route is generally east of I-5 along Morena Boulevard. The MBE/WBE (Equal Opportunity) participation goals for this agreement are 12 percent MBE and 3 percent WBE. The MBE/WBE participation for this agreement is 25.6 percent MBE and 4.5 percent WBE. With this agreement approximately twenty-four local jobs could be provided.

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Aud. Cert. 9200633.  
WU-CWP-92-088.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-92-1235) ADOPTED AS RESOLUTION R-279492

Authorizing the execution of an agreement with Sholders & Sanford, Inc., for consultant services to design and provide construction documents for University Avenue/Lincoln Avenue Two-Way Couplet System, CIP-52-462.0 and CIP-52-504.0; authorizing the expenditure of an amount not to exceed \$206,000 from CIP-52-462.0, TransNet Fund 30300, University Avenue/Lincoln Avenue Two-Way Couplet System and an amount not to exceed \$50,000 from CIP-52-504.0, CapOut Fund 30245, University Avenue - Bancroft Street to Boundary Street, for the purpose of providing funds for the above project.

(Greater North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This action authorizes consultant services to provide the design and construction documents necessary for the improvement of University Avenue and Lincoln Avenue as a two-way couplet system. The system will provide two lanes eastbound and one lane westbound on University. Lincoln Avenue will have one lane eastbound, one lane westbound, and a dual left-turn lane. This couplet system will divert traffic onto the underutilized Lincoln Avenue, thereby decreasing traffic congestion on University Avenue between Utah Street and Boundary Street. The improvements will include, but not be limited to curb, gutter, sidewalk, pavement, storm drain systems, traffic signals, signs, and striping. WBE and MBE subconsultant participation for this agreement will be 27.6 percent and 12 percent, respectively.

Aud. Cert. 9200545.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (O-92-86) INTRODUCED, TO BE ADOPTED MARCH 16, 1992

Introduction of an Ordinance amending Chapter II,  
Article 2, Division 5, of the San Diego Municipal Code  
by amending Sections 22.0506, 22.0512 and 22.0514,  
relating to selling and disposing of obsolete or  
depreciated property, award of procurement and public  
works contracts, and debarment procedures for  
procurement and public works contracts.  
(See City Manager Report CMR-92-44.)

COMMITTEE ACTION: Reviewed by RULES on 2/19/92. No action taken  
due to the lack of a quorum. Docketed for full Council action by  
the Mayor. Districts 1 and Mayor present. Districts 2, 7, and 8  
not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B096-163.)

MOTION BY BEHR TO INTRODUCE. Second by Stevens. Passed by  
the following vote: Wolfsheimer-not present, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (R-92-1081) ADOPTED AS RESOLUTION R-279493

(Continued from the meeting of February 18, 1992, Item  
100, at the City Manager's request, for further  
review.)

Awarding a contract to Drainage Construction, Inc. for  
the Construction of Crown Point Trunk Sewer;  
authorizing the expenditure of an additional \$99,396  
from Sewer Revenue Fund 41506, CIP-44-001.0 (Annual  
Allocation for Sewer Main Replacement), to supplement  
Resolution R-278711, and reducing the amount authorized  
by Resolution R-278711, for CIP-22-079.0, Fund 10507,  
from \$18,477 to \$16,459, for said project and related

costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K2656/92)  
(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On November 7, 1991, seven bids were opened for the Crown Point Sewer Replacement Project, and the low bid, submitted by Drainage Construction, Inc., was 15.4 percent higher than the engineer's estimate. Upon review of the bids, staff concluded that the engineer's unit prices for the pipe and concrete encasement were much lower than the contractor's, and the readvertisement would not result in lower bids. Therefore, it is recommended that the low bid be accepted.

Aud. Cert. 9200546.  
WU-P-92-071.

FILE LOCATION: W.O. 171481, CONT-Drainage Construction, Inc.  
CONT FY92-1

COUNCIL ACTION: (Tape location: A470-560.)

MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-92-1120) ADOPTED AS RESOLUTION R-279494

(Continued from the meeting of February 10, 1992, Item 109, at Councilmember Stallings' request, for more time to review the concerns of the community.)

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$45,000 from PSD Fund No. 11390 to CIP-29-724.0, Cabrillo Heights Neighborhood Park - Access Road; authorizing the expenditure of an amount not to exceed \$45,000 from CIP-29-724.0, Cabrillo Heights Neighborhood Park - Access Road, PSD Fund No. 11390, to supplement the financing authorized by Resolution R-275759, adopted on May 29, 1990.  
(Serra Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: A contract to construct an access road at Cabrillo Heights Park was awarded in June 1990. Several changes have been made to minimize conflict with the

adjacent athletic fields and to eliminate unanticipated drainage problems. Construction change orders have increased the cost by \$21,000 and additional City engineering costs are greater than expected. An additional \$45,000 is required.

	Estimated Cost Original	Current
Professional Services	\$ 6,000	\$ 6,000
City Engineering	\$ 8,734	\$33,000
Construction Contract	\$33,666	\$56,000
Contingencies	\$ 1,600	0
Total	\$50,000	\$95,000

Aud. Cert. 9200550.

FILE LOCATION: W.O. 119442, CONT-O&B Matthews Construction, Inc.

COUNCIL ACTION: (Tape location: A470-560.)

MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-92-1159) ADOPTED AS RESOLUTION R-279495

(Continued from the meeting of February 18, 1992, Item 113, at Councilmember Behr's request, for a report from the City Manager.)

Authorizing the expenditure of an amount not to exceed \$20,000 from CIP-73-230.0 (Annual Allocation - Various Lakes) to supplement the funding previously authorized by the Council in Resolution R-276682, adopted on October 15, 1990, in connection with the Lake Hodges Concession Building; authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any to the appropriate reserves upon advice of the administering department.

(San Pasqual/Lake Hodges and San Dieguito River Basin Community Areas. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On October 15, 1990, pursuant to Resolution R-276682 and R-276683, Council approved the plans and specifications and authorized for bids for the construction of the Lake Hodges Concession Building. This

project will replace a temporary trailer utilized as a concession bait/sales building to meet recreational demands at Lake Hodges. Construction began October 21, 1991, and has an expected date of completion in the latter half of February, 1992. Due to unforeseen requirements set forth by the County Health Department, additional construction items are necessary to pass inspection. Therefore, additional funds are required to provide for these items which were not originally addressed on the construction drawings.

Aud. Cert. 9200574.  
WU-U-92-093.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D543-560.)

MOTION BY BEHR TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-203: (R-92-1262) ADOPTED AS RESOLUTION R-279505

Council confirmation of the following appointments by the Mayor to serve as members of the Wetlands Advisory Board, representing categories as shown, for terms ending as indicated:

(See memorandum from Mayor O'Connor dated 2/20/92 with resumes attached, and memorandum from Councilmember Hartley dated 2/21/92.)

NAME	TERM EXPIRES
Dr. Mia J. Tegner, Wetlands Scientist	July 1, 1992
Dr. Ellen Bauder, Wetlands Scientist	July 1, 1992
Lori Saldana, Fundraiser	July 1, 1992
Manuel Nieto, Expert	July 1, 1992
Paul Slayton, Tijuana Estuary	July 1, 1992
Isabelle Kay, Kendell Frost Reserve	July 1, 1992
Dr. Joy Zedler, Wetlands Scientist	July 1, 1993
Jose LaMont Jones, Education Outreach	July 1, 1993
Lois Fong-Sakai, Coastal Salt Marsh	July 1, 1993
Dr. Marie Simovich, Vernal Pools	July 1, 1993
Jim Peugh, Community Organization	July 1, 1993
Akinniyi Savage, Community Organization	July 1, 1993



Waiving the City residency requirements for Dr. Ellen Bauder, Paul Slayton, and Isabelle Kay as provided in San Diego Municipal Code Section 26.0905, pursuant to Council Policy 000-13.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B170-239.)

MOTION BY BEHR TO ADOPT ITEMS 203, 204, S406, AND S407.  
Second by Stallings. Passed by the following vote:  
Wolfsheimer-not present, Roberts-yea, Hartley-yea,  
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-92-1258) ADOPTED AS RESOLUTION R-279496

Confirming the appointments and reappointments by the Mayor of the following persons to serve as members of the Citizen's Advisory Board on Police/Community Relations, representing Council Districts and groups as shown, for terms ending March 1, 1994:

(See memorandum from Mayor O'Connor dated 2/20/92 with resume attached.)

Reappointments:

William M. McGuigan (Human Relations)  
Dr. Kenji Ima  
Judge Lantz Lewis (Judge, Judicial Category)  
Andrea Skorepa (Social Services)  
Susan A. Stone (Council District 2)

Appointments:

Frank L. White (Council District 4)  
(To replace Clarence McCoy)  
Jerelyn Dilno (Council District 6)  
(To replace Bruce W. Beach)  
Francisco B. Docoq (District 8)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B170-239.)

MOTION BY BEHR TO ADOPT ITEMS 203, 204, S406, AND S407.  
Second by Stallings. Passed by the following vote:  
Wolfsheimer-not present, Roberts-yea, Hartley-yea,  
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-205: CONTINUED TO APRIL 6, 1992

(Continued from the meetings of February 4, 1992, Item S500, and February 18, 1992, Item 204; last continued at Councilmember Hartley's request, for further review.)

In the matter of the responses to the proposals outlined in the Mayor's State of the City Address, Business Tax Suspension for Businesses with Ten or More Employees.  
(See City Manager Reports CMR-92-57 and CMR-92-38.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A293-391.)

MOTION BY STALLINGS TO CONTINUE ITEMS 205 AND 206 FOR 30 DAYS, AS REQUESTED BY THE CITY MANAGER, FOR CONTINUED EVALUATION OF THE IMPACT OF THE RECESSION ON CITY FINANCES. Second by Hartley. Passed by the following vote:  
Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: CONTINUED TO APRIL 6, 1992

(Continued from the meetings of February 4, 1992, Item 334, and February 18, 1992, Item 205; last continued at Councilmember Hartley's request.)

In the matter of the Impact of the Business Tax Increase on the Taxicab Industry.  
(See City Manager Report CMR-92-10.)

COMMITTEE ACTION: Reviewed by RULES on 1/15/92. Referred to the full City Council without a recommendation. Districts 1, 2 and 7 voted yea. District 8 and Mayor not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A293-391.)

MOTION BY STALLINGS TO CONTINUE ITEMS 205 AND 206 FOR 30 DAYS, AS REQUESTED BY THE CITY MANAGER, FOR CONTINUED EVALUATION OF THE IMPACT OF THE RECESSION ON CITY FINANCES. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: PRESENTATION MADE

Presentation to the Mayor and City Council by Mike Duffy, of Duffy-English Joint Venture, regarding personalized America's Cup license plate frames.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A142-167.)

ITEM-S401: TRAILED TO MARCH 3, 1992

In the matter of reconsideration of the City Council's action of October 21, 1991, in denying the request of Village and Country Properties for a hearing of its appeal from the decision of the Planning Commission to deny Vesting Tentative Map VTM-88-0767 and Planned Residential Development Permit PRD-88-0767 (Rancho La Cresta).

On October 21, 1991, the City Council voted 7-0 (Districts 2 and 6 not present) on a motion by Councilmember Behr to deny the request for hearing. (Scripps Miramar Ranch Community Area. District-5.)

Subitem-A:

Suspending Rule 2 of the Permanent Rules of the Council (Municipal Code Section 22.0101) which requires that reconsideration of a docketed item occur on the same date that the item was acted upon by the City Council. (6 votes required.)

Subitem-B:

Motion to reconsider the item.

(Five votes required.)

NOTE: If Subitems A and B are approved, Council can proceed with Subitem C, the Rule 4 hearing.

Subitem-C:

Granting or denying the request of Village Country Properties for a hearing of an appeal from the decision of the Planning Commission in denying Vesting Tentative Map VTM-88-0767 and Planned Residential Development Permit PRD-88-0767 (Rancho La Cresta), proposing to subdivide a 162.8-acre site into 382 lots for the construction of 367 detached single-family residential units. The subject property is located west of Pomerado Road, approximately 0.9 miles south of Poway Road in Zones A-1-10, R-1-6000, R-3000 and HR, more particularly described as the northeast quarter of Section 27, Township 14 South, Range 2 West, SBBM.

(5 votes required to grant the hearing.)

FILE LOCATION: PERM-PRD 88-0767; SUBD-Rancho La Cresta

COUNCIL ACTION: (Tape location: A293-391.)

MOTION BY BEHR TO TRAIL THE ITEM TO MARCH 3, 1992, AS REQUESTED BY THE CITY MANAGER. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S402: (R-92-1156) ADOPTED AS RESOLUTION R-279497

A Resolution approved by the City Council in Closed Session on Tuesday, January 28, 1992 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-not present; Stevens-yea; Behr-yea; Stallings-yea; McCarty-not present; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$15,000 in the settlement of each and every claim against the City, its agents and employees, resulting from water infiltration, (Superior Court Case No. 629056, Seashore Owners Association v. City of San Diego, et al.). This settlement includes, among other conditions, the replacement of the subject alley at a cost of approximately \$30,000, contingent upon the

availability of funds; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$15,000, made payable to Seashore Owners Association, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the property damage claim of Seashore Owners Association against the City of San Diego as a result of the incident on January 1, 1985.

Aud. Cert. 9200615.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A470-560.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-92-956) ADOPTED AS RESOLUTION R-279498

(Continued from the meeting of February 24, 1992, Item 102, at City Manager's request, for further review.)  
Awarding contracts to Drew Ford and Fuller Ford for misc. Police Department support vehicles for a total estimated cost of \$50,332.16, including tax and terms, less trade in allowances, as follows:

1. Drew Ford for Item 1 - one utility vehicle (Ford Ranger Pickup L.W.B.) at a cost of \$9,744 and Item 4 - two utility vehicles (Ford E 150 Econo-line Cargo Van) at a cost of \$14,293 each; for a combined total of \$38,330, including tax and terms, less trade in allowances as follows:

Trade-In equipment for Items 1, 3, 4 and 5

1 each 1986 Nissan Pickup	\$1,700
1 each 1988 Chevrolet Van	\$3,500
Total trade-in allowance	\$5,200

2. Fuller Ford for Item 2 - one off road enforcement vehicle (Ford Bronco) at a cost of \$16,666, including tax and terms, less trade-in allowance as follows:

Trade-In Equipment for Item 2

1 each 1988 Chevrolet KB Blazer	\$4,001
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Authorizing the expenditure of not to exceed \$50,332.16 from Fund No. 100, Department No. 110, Organization Nos. 200, 385, 214, 304 and 380, Object Account No. 6010, and Job Order Nos. 111475, 111514, 111201, 111275 and 111265, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C2856/92)

Aud. Cert. 9200579.

FILE LOCATION: CONT-Purchase Drew Ford, Fuller Ford CONT  
FY92-2

COUNCIL ACTION: (Tape location: A470-560.)

MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-ineligible.

ITEM-S404: (R-92-1238) TRAILED TO MARCH 3, 1992, DUE TO  
LACK OF TIME

(Continued from the meeting of February 24, 1992, Item S400, at Councilmember Hartley's request, for further review.)

Approving the Graffiti Control Plan as contained in City Manager's Report CMR-91-523, dated December 2, 1991; directing the City Manager to take the necessary steps to implement the items enumerated in the report; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$200,000 from the Park and Recreation Department (444) to the Waste Management Department (513); authorizing the expenditure of \$392,000 in General Fund 100 monies from the Waste Management Department for the purpose of implementing this plan.  
(See City Manager Report CMR-91-523.)

Aud. Cert. 9200635.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A516-533; D522-534.)

ITEM-S405: (R-92-1267) NOTED AND FILED

Endorsing the selection of Ward Valley, which is located in the Mojave Desert of San Bernardino County, as the site for a low-level radioactive waste facility; directing the City Manager to forward an endorsement letter to the Governor's office.  
(See City Manager Report CMR-92-79.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A496-D522.)

Motion by Behr to amend the language of the endorsement letter as follows: In paragraph one, insert the wording,

"... support for a timely decision regarding the proposed Ward Valley ..." In paragraph two, change the language to read, "... public and private biomedical organizations in San Diego ..." Paragraph three, change the language to read, "The San Diego City Council endorses the Ward Valley site if it meets all design and safety requirements ... If it does, the site will benefit ..." Second by McCarty. Second by McCarty withdrawn. No vote.

Substitute Motion by Filner to refer the matter to the Public Services and Safety (PS&S) Committee for review and debate. Second by Hartley. Failed. Yeas: 3,4,8. Nays: 2,5,7. Not Present: 1,6,M.

Motion by McCarty to Note and File the item. Second by Stevens. Failed. Yeas: 2,3,4,7. Nay: 5,8. Not present: 1,6,M.

Council Member Filner recommended retaking the vote on the previous motion to Note and File the item:

MOTION BY McCARTY TO NOTE AND FILE THE ITEM. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S406: (R-92-1284) ADOPTED AS RESOLUTION R-279499

Council confirmation of the appointment by the Mayor of James Harrison Watts, to serve as a member of the Housing Advisory and Appeals Board, for a term ending March 1, 1994, replacing David E. Flores, who has resigned.

(See memorandum from Mayor O'Connor dated 2/25/92 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B170-239.)

MOTION BY BEHR TO ADOPT ITEMS 203, 204, S406, AND S407. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.



ITEM-S407: (R-92-1285) ADOPTED AS RESOLUTION R-279500

Council confirmation of the appointment by the Mayor of Villa P. Mills, to serve as a member of the Commission on the Status of Women, for a term ending March 1, 1993, replacing Mary Costello, who has resigned. (See memorandum from Mayor O'Connor dated 2/24/92 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B170-239.)

MOTION BY BEHR TO ADOPT ITEMS 203, 204, S406, AND S407. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: RECOGNIZED

Recognition of City crews assisting in clearing of interceptor pump intake works in the Tijuana River:

Water Utilities:

Luther Courtney, Equipment Operator III  
Alex Williams, Equipment Operator III  
Irv Little, Principal Water Utility Supervisor

General Services:

Charles Buchanan, General Supervisor  
Jose Castillo, Senior Utility Supervisor  
Moses Garret, Equipment Operator  
James Bell, Equipment Operator  
Winston Martin, Heavy Truck Driver I

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A172-242.)

RECOGNITION AND PRESENTATIONS MADE BY CITY MANAGER JACK McGRORY AND COUNCIL MEMBER FILNER.

ITEM-S409: REPORT GIVEN

In the matter of discussion of the City Budget Update,  
regarding the Council directed Independent  
Corporations.  
(Docketed per Council directive from the meeting of  
2/25/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D460-600.)

ORAL REPORT GIVEN BY ASSISTANT CITY MANAGER MAUREEN  
STAPLETON.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO THE CITY MANAGER AND THE CITY  
ATTORNEY

Comments by Council Member Behr were referred to the  
City Manager and the City Attorney to work with the  
Human Relations Commission to bring forward legislation  
that deals with hate crimes to include the following:  
define and provide a reporting system; institute a  
meaningful data collection system through the Police  
Department to analyze trends; establish the limits of  
parental accountability for such actions if the persons  
at fault are minors; and to establish accountability  
for damage to property in hate crimes.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A060-107.)

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at  
5:07 p.m. in honor of the memory of Tailleur "Taylor"  
McGreevy, as requested by Deputy Mayor Roberts, and in

honor of the memory of Miguel Duenas, as requested by  
Assistant City Manager Maureen Stapleton.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D616-E019).